

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Senior Deputy Clerk.

**F037171      Harvey v. Governing Board of the Taft City School District**  
Cause called and argued by Peter C. Carton, Esq., counsel for respondent. Richard J. Papst, Esq., counsel for appellant waived oral argument.

Cause ordered submitted.

Court recessed until Tuesday, May 21, 2002 at 10:00 A.M.

**F037300      In re the Marriage of Colburn**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F036632      People v. Pacheco**  
The judgment is affirmed. Cornell, J.  
We concur: Ardaiz, P.J.; Dibiaso, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038946      In re Larry T., a Minor**  
The disposition of the juvenile court is affirmed. Cornell, J.  
We concur: Vartabedian, Acting P.J.; Buckley, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038353      People v. Garcia**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F038353      People v. Garcia**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037019      People v. Mejia**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F037019      People v. Mejia**

The case is remanded to the trial court with instructions to vacate Mejia's second conviction on count one for the lesser included offense of possession of methamphetamine. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037403      Ellis v. Clovis Unified School District et al.**

The judgment is affirmed. Costs to respondents. Harris, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035992      People v. Sullivan**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F036017      Jefferson v. County of Kern et al.**

Filed modification of opinion, Certifying Opinion For Partial Publication [no change in judgment]. Dibiaso, Acting P.J.

We concur: Vartabedian, J.; Cornell, J.

[CERTIFIED FOR PUBLICATION]

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**F038785      People v. Gunning**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F038785      People v. Gunning**

The sentence imposed is vacated, and the matter is remanded to the trial court for resentencing. On resentencing, the court is directed to place appellant on probation with appropriate terms and conditions, pursuant to Proposition 36. Except as so modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F039726      People v. Embry**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F038676      Golden Empire Transit District v. BCI Coca-Cola Bottling Company of Los Angeles**

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.